

Message Text

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PAGE 01 TOKYO 01045 210255Z
ACTION EB-08

INFO OCT-01 AF-10 EUR-12 EA-10 IO-13 ISO-00 AID-05
CEA-01 CIAE-00 COME-00 FRB-03 INR-07 NEA-10
NSAE-00 USIA-06 OPIC-03 SP-02 TRSE-00 LAB-04
SIL-01 AGRE-00 OMB-01 SS-15 DODE-00 PM-05 H-01
L-03 NSC-05 PA-01 PRS-01 HA-05 /133 W
-----094761 211416Z /23

R 210214Z JAN 78
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 4535
AMEMBASSY PRETORIA
AMEMBASSY LUSAKA
AMEMBASSY BRUSSELS
AMEMBASSY PARIS
AMCONSUL CAPE TOWN
AMCONSUL JOHANNESBURG
USMISSION GENEVA
USUN NEW YORK 2456

C O N F I D E N T I A L TOKYO 1045

USEEC

USOECD

E.O. 11652: GDS
TAGS: EINV, ELAB, PFOR, OECD, EED, SF, SZ, JA
SUBJECT: U.S. PROPOSAL FOR COMMON CODE FOR FIRMS OPERATING IN SOUTH
AFRICA

REF: A) STATE 281210, B) STATE 4226

1. SUMMARY: EMBOFF CALLED ON FOREIGN MINISTRY OFFICIALS AS REQUESTED
REFTELS. GOJ COULD ACCEPT CONCEPT OF A COMMON CODE OR GUIDELINES,
BUT HAS NOT TAKEN POSITION. GOJ HAS RESERVATIONS ON EC MANDATORY
REPORTING REQUIREMENTS AND PAYMENT DEFINITIONS. GOJ DOES NOT
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PAGE 02 TOKYO 01045 210255Z

BELIEVE OECD IS PROPER FORUM FOR CODE DISCUSSIONS. END SUMMARY.

2. USING INFORMATION CONTAINED REFTELS AS GUIDE, EMBOFF CALLED ON
DEPUTY DIRECTOR KUNIEDA OF THE AFRICA DIVISION AND T. OZAWA OF THE
SECOND INTERNATIONAL DIVISION OF THE FOREIGN MINISTRY TO GET GOJ
VIEW OF U.S. PROPOSAL FOR COMMON CODE OR GUIDELINES FOR COMPANIES
OPERATING IN SOUTH AFRICA.

3. THE GOJ, THEY SAID, HAS A POLICY OF DISCOURAGING DIRECT INVESTMENT IN SOUTH AFRICA (SA). EVEN SO, THERE ARE ABOUT 70 JAPANESE FIRMS WITH REPRESENTATIVES THERE, MOST VERY SMALL WITH ONLY 2 OR 3 JAPANESE CITIZENS EACH. ALL ARE 100 PERCENT CAPITALIZED BY SA MONEY.

4. THE GOJ IS FORMLY AGAINST APARTHEID, THEY SAID, AND COULD ACCEPT THE CONCEPT OF A COMMON CODE OR GUIDELINES, BUT HAS TAKEN NO DEFINITE POSITION ON THE MATTER AT THIS TIME. EXCEPT FOR BRIEF DISCUSSIONS IN NOVEMBER WHEN THE IDEA OF A COMMON CODE WAS BROOCHED IN THE OECD, THE GOJ HAS NOT FOCUSED ON THE PROBLEM.

5. IN NOVEMBER THE MINISTRIES WITHIN THE GOJ TENTATIVELY AGREED THAT A CODE, IF ADOPTED, SHOULD PROBABLY BE INITIATED BY THE COMPANIES OPERATING IN SA AND NOT BY THEIR GOVERNMENTS. THE GOJ HAS SOME RESERVATIONS ABOUT THE EC CODE'S MANDATORY REPORTING PROVISIONS AND ITS USE OF THE PHRASE "MINIMUM STANDARD LEVEL OF PAYMENT (OF WAGES), PLUS 50 PERCENT." SPECIFICALLY , THEY QUESTION THE DEFINITION OF "MINIMUM STANDARD LEVEL OF PAYMENT." THEY ALSO QUESTION THE ADVISABILITY OF ATTEMPTING TO DEVISE A CODE IF IT MIGHT FALL SHORT OF THE EC CODE AND FEAR THE CONSEQUENCES IF THAT SHOULD HAPPEN.

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PAGE 03 TOKYO 01045 210255Z

6. THE GOJ DOES NOT FEEL THE OECD IS THE PROPER FORUM FOR DISCUSSIONS OF A CODE, BUT DECLINED TO SUGGEST AN ALTERNATIVE. HOWEVER, THEY DO NOT WANT TO CLOSE THE DOOR ON CODE OR GUIDELINE CONSIDERATIONS IN OECD OR ELSEWHERE.
MANSFIELD

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Message Attributes

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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, BUSINESS FIRMS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: GS
Errors: N/A
Expiration:
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ISecure: 1
Legacy Key: link1978/newtext/t19780136/aaaabenl.tel
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Litigation Code IDs:
Litigation Codes:
Litigation History:
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Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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To: STATE PRETORIA
Type: TE
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Review Markings:
Sheryl P. Walter
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